

Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

MDL No. 3076

CASE NO. 1:23-md-03076-KMM

IN RE:

FTX Cryptocurrency Exchange Collapse MDL Litigation

THIS DOCUMENT RELATES TO:

Multinational VC Defendants

O'Keefe v. Sequoia Capital Operations, LLC, et al., S.D. Fla.
Case No. 1:23-cv-20700

O'Keefe v. Farmington State Bank d/b/a Moonstone Bank, et al., E.D. Wa. Case No. 2:23-cv-00213-TOR

**DECLARATION OF ADAM MOSKOWITZ IN SUPPORT OF OPPOSITION TO DEFENDANT
SINO GLOBAL CAPITAL HOLDING'S MOTION TO DISMISS THE [CORRECTED]
ADMINISTRATIVE CLASS ACTION COMPLAINT FOR INSUFFICIENT SERVICE OF
PROCESS (ECF No. 299)**

I, Adam Moskowitz, declare as follows:

1. I am the Founding and Managing Partner at The Moskowitz Law Firm and am an attorney duly authorized and licensed to practice and in good standing in the State of Florida, in the U.S. District Court, Southern District of Florida, and the U.S. Court of Appeals, Eleventh Judicial District. I am one of the counsel of record for Plaintiffs in the above-referenced actions. I submit this Declaration in support of Plaintiffs' Opposition to Defendant Sino Global Capital Holding's Motion to Dismiss the Corrected Administrative Complaint for Insufficient Service of Process. I am personally knowledgeable of the matters set forth herein or have been personally apprised of them by my co-counsel, and if called upon to do so, I could and would competently testify to the following facts.

2. As alleged in Plaintiffs' Corrected Administrative Complaint Against Multinational VC Defendants (MDL ECF No. 182), Sino Global Capital Limited maintains offices and employees in the United States. Attached as **Exhibit A** are true and correct copies of LinkedIn resumes that Plaintiffs' counsel last accessed on www.linkedin.com on October 26, 2023, which appear to depict the presence of Sino Global Capital employees in the United States: Sino Global Capital Investments executive Lawrence Yan, based in San Francisco Bay Area; Sino Global Capital Media Public Relations Coordinator Menna Shanab, based in Philadelphia, Pennsylvania; and Sino Global Capital Algorithmic Trader Jack Ma, based in the Greater Seattle Area.

3. On August 16, 2023, Plaintiffs served Sino Global Capital Holdings at the address of its registered agent in Wilmington, Delaware. Plaintiffs then filed the corresponding executed proof of service on September 28, 2023 in the underlying California action, Case No. 3:23-cv-03974-AGT (N.D. Cal.), ECF No. 10, a true and correct copy of which is attached as **Exhibit B**.

4. On September 21, 2023, when SG Capital Holdings made an appearance in this matter through its attorneys Melissa Madrigal, Jason Gottlieb, Vani Upadhyaya, and Michael Mix of Morrison Cohen LLP, Plaintiffs' counsel at Fishman Haygood LLP contacted counsel to request waiver of service of process. Counsel refused. Attached as **Exhibit C** is a true and correct copy of that email exchange.

5. On October 13, Plaintiffs' counsel attempted service on Patrick Loney, an attorney who appears to be General Counsel and Head of Investor Relations for Sino Global based on publicly accessible information,¹ at the mailing address he submitted with the Washington State Bar. Attached as **Exhibit D** is a true and correct copy of Mr. Loney's Washington State Bar Association profile last accessed on October 17, 2023 at www.mywsba.org.

6. Counsel is informed that a person answered the address listed in **Exhibit D** and offered to accept service on Loney's behalf, then called Mr. Loney and gave the process server his cell phone number when told the papers needed to be hand-delivered. Upon receipt of this information, Plaintiffs' counsel decided to proceed with sub-service on this person. But, after returning, the process server once being threatened and after a phone call with Mr. Loney, during which he informed the server he would be avoiding service "at all costs." Attached as **Exhibit E** is a true and correct copy of the email correspondence from process server Jennifer Hickey detailing this exchange, in reverse chronological order.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 6th day of November, 2023, in Miami, Florida.

By: /s/ Adam Moskowitz

Adam Moskowitz

¹ [Patrick Loney, Sino Global Capital Ltd: Profile and Biography - Bloomberg Markets](#); *see also* [\(2\) Patrick Loney | LinkedIn](#); [Crypto Fund Sino Global Had Deep Ties to FTX Beyond Equity Investment \(coindesk.com\)](#); (last accessed October 27, 2023).

Exhibit A

Contact

www.linkedin.com/in/lawrenceyan
(LinkedIn)

Top Skills

Research
Entrepreneurship
Machine Learning

Publications

UC Berkeley students find a better way to fill empty data set values
Team Katalyst Wins Kabam Collider

Lawrence Yan

To building a brighter future
San Francisco Bay Area

Summary

From predicting the future paths of nearby pedestrians and vehicles to modeling the stable structures of folded proteins, the exponential growth in our computational ability as well as corresponding algorithms used to take advantage of that processing power, have made it possible to find ever better solutions to the problems facing us today.

I'm fiercely optimistic about what we can achieve with these tools, and I look forward to helping contribute to creating a better brighter world with them.

Feel free to reach out. My line's always open:
lawrenceyan@berkeley.edu

Experience

Sino Global Capital
Investments
February 2022 - Present (1 year 9 months)

Cruise
Machine Learning Engineer
May 2020 - February 2021 (10 months)
San Francisco

Cruise
Research Intern
May 2019 - August 2019 (4 months)
San Francisco Bay Area

Cruise
Research Intern
November 2017 - August 2018 (10 months)
San Francisco

Behavior prediction, pedestrians/bicycles.

Disney Interactive

Research Intern

May 2017 - August 2017 (4 months)

Seattle

Worked on a convolutional neural network architecture in the computer vision domain, mainly in relation to image recognition applications for certain Disney intellectual property.

Education

University of California, Berkeley

Applied Mathematics · (2016 - 2020)

Contact

www.linkedin.com/in/mennashanab
(LinkedIn)

Top Skills

Online Journalism
Cultural Awareness
Fact-checking

Languages

English (Native or Bilingual)
Arabic (Full Professional)

Publications

After Paris: The Rise of Islamophobia
Iraqi Refugees in Egypt: Displaced,
Dispossessed and Disregarded
Merkel's Short-Sighted Open-Door
Policy: Uncertainty and Disdain
Continue to Mingle in Germany
Cairo Scene Writer Profile

Menna Shanab

Fueled by a lifelong penchant for storytelling, Menna is an Ivy League-educated researcher, published writer and seasoned journalist telling the tales of MENA through her work at the region's leading publications.

Philadelphia, Pennsylvania, United States

Summary

- B.A in Near Eastern Languages and Civilizations from the University of Pennsylvania
- Extensive knowledge of social media buttressed by a wealth of writing and research experience
- Conversationally bilingual (American national with Egyptian background)
- Creative thinker, avid researcher and seasoned writer (published both individually and co-authored)
- Contributes to some of the MENA region's leading online publications including This is YUNG, Cairo Scene, Scene Noise, Scene Traveller, Scene Eats and the Habibi Edit.

Experience

THIS IS YUNG

Writer

December 2022 - Present (11 months)

Dubai, United Arab Emirates

Sino Global Capital

Media Public Relations Coordinator

August 2022 - Present (1 year 3 months)

The Habibi Edit

Head Of Content

February 2022 - January 2023 (1 year)

Cairo, Egypt

- Manage daily operations of content creators, PR and social media specialists
- Oversee content creation and editorial process for social media and website

- Scour social media sources and produce original reporting and angles on MENA's hottest happenings and prominent figures

MO4 Network

Content Writer

February 2021 - February 2022 (1 year 1 month)

Cairo, Egypt

- Create engaging and timely news pieces, lifestyle articles and more light content across eight social media platforms
- Storytelling through video: scouting for ideas, interviewing industry leaders in person, providing editorial direction in the production process from filming to editing

University of Pennsylvania

Researcher

September 2018 - May 2019 (9 months)

Greater Philadelphia Area

Project: "Sanctuary Cities" Dr. Domenic Vitiello

- Interview leaders of prominent religious and social institutions responsible for the resettlement and integration of Arab refugees in Philadelphia
- Transcribe interviews into exhaustive yet concise analytical reports
- Conduct research in school and city archives to buttress and contextualize interviews

Nationalities Service Center

Cultural Orientation Facilitator

August 2016 - May 2019 (2 years 10 months)

1216 Arch Street, Philadelphia PA 19104

- Design and administer a post-arrival educational class that provides refugees with the Aug. 2018- May 2019 knowledge and skills necessary to fully integrate into U.S society and their communities
- Formalize and standardize an Arabic-language cultural orientation (CO) program by translating formerly inaccessible English-only materials
- Restructure the antiquated CO system to better fit the needs of the changing refugee demographic and continuously assessing the efficacy of the program

United Nations Association of Greater Philadelphia
Education And Outreach Coordinator
August 2016 - April 2019 (2 years 9 months)
Greater Philadelphia Area

- Orchestrated community-oriented projects and exhibitions that critically engaged constituents in a wide-range of critical local and global issues
- Fostered resilient, mutually-beneficial relationships with the UNAGP and other community partners.
- Developed and taught a series of lesson plans in conjunction with UN staff members and educators for the annual Model United Nations conference at UPenn

McNeil Center for Early American Studies
Administrative Assistant
August 2015 - May 2016 (10 months)
3355 Woodland Walk, Philadelphia, PA 19104

Education

University of Pennsylvania
B.A, Near Eastern Languages and Civilizations · (2015 - 2019)

Philadelphia High School for Girls
High School, History · (2011 - 2015)

Contact

www.linkedin.com/in/jackwma
(LinkedIn)

Top Skills

Data Analysis

Java

Matlab

Languages

Cantonese (Native or Bilingual)

Mandarin (Native or Bilingual)

English (Native or Bilingual)

Spanish (Elementary)

Jack W. Ma

Software Engineer
Greater Seattle Area

Experience

Sino Global Capital
Algorithmic Trader
January 2021 - Present (2 years 10 months)

Oracle
Software Engineer @ OCI
July 2020 - Present (3 years 4 months)
Greater Seattle Area

Amazon Web Services (AWS)
Software Engineering Intern
September 2019 - December 2019 (4 months)
Greater Seattle Area

ServiceNow
Software Engineering Intern
June 2019 - September 2019 (4 months)
Greater Seattle Area

Community Brands
Software Engineering Intern
June 2018 - September 2018 (4 months)
Greater Seattle Area

Sensors, Energy, and Automation Laboratory (SEAL)
Undergraduate Researcher
September 2016 - August 2018 (2 years)
Greater Seattle Area

Education

University of Washington
Bachelor of Science - BS, Mathematics · (September 2016 - June 2020)

University of Washington

Bachelor of Science - BS, Electrical & Computer Engineering · (2016 - 2020)

Exhibit B

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 3:23-cv-03974-AGT

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* Sino Global Capital Holdings, LLC
was received by me on *(date)* 08/16/2023.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* "Jane Doe", CSC Representative, per CSC policy, who is
designated by law to accept service of process on behalf of *(name of organization)* CSC, Registered Agent, 251
Little Falls Drive, Wilmington, DE 19808, at 12:36 PM on *(date)* 08/16/2023; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 08/22/2023



Server's signature

Sharlene Brooks, Process Server

Printed name and title

c/o Western Attorney Services
75 Columbia Square
San Francisco, CA 94103

Server's address

Additional information regarding attempted service, etc:

List of documents served: Complaint with Exhibits A - D; Issued Summons; Standing Order for Magistrate Judge Alex G. Tse; Settlement Conference Standing Order for Magistrate Judge Alex G. Tse;

Exhibit C

Wells, Molly

From: Gottlieb, Jason <jgottlieb@morrisoncohen.com>
Sent: Thursday, September 21, 2023 1:48 PM
To: Wells, Molly; Madrigal, Melissa N.; Upadhyaya, Vani T.; Mix, Michael
Cc: Paschal, Hogan
Subject: RE: FTX MDL: Service of complaints

Molly,

Our client does not waive service, and we would oppose any motion for alternative service.

Best,
Jason

Jason P. Gottlieb

Partner & Chair, White Collar and Regulatory Enforcement

T: 212.735.8837 | F: 917.522.9937

jgottlieb@morrisoncohen.com

[vCard](#) | [Bio](#) | [LinkedIn](#)

Morrison Cohen LLP

909 Third Avenue

27th Floor

New York, NY 10022

www.morrisoncohen.com

From: Wells, Molly <mwells@fishmanhaygood.com>
Sent: Thursday, September 21, 2023 2:22 PM
To: Madrigal, Melissa N. <mmadrigal@morrisoncohen.com>; Gottlieb, Jason <jgottlieb@morrisoncohen.com>; Upadhyaya, Vani T. <vupadhyaya@morrisoncohen.com>; Mix, Michael <mmix@morrisoncohen.com>
Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>
Subject: FTX MDL: Service of complaints

CAUTION: External sender. Verify before continuing.

Good afternoon, counsel,

I see that you all made an appearance today on behalf of Sino Global Capital Holdings, LLC in the FTX MDL (S.D. Fla. Case No. 23-md-03076). We were finalizing a motion for filing today requesting alternative means of service against Sino Global and certain other defendants when the CM/ECF notifications came through. Before filing, would you please confirm whether your client will waive service? If they will not, we will assume that they would oppose our motion for alternate service.

If I do not hear from you all by close of business today, I will assume both that your client will not waive service and that it opposes the motion. If you respond that you cannot provide an answer today and will do so at a later time, then I will note as much in our motion when we file it at close of business today.

Thank you.

Sincerely,

Molly Wells

mwells@fishmanhaygood.com

FishmanHaygood LLP

201 St. Charles Avenue, 46th Floor
New Orleans, Louisiana 70170

t: 504.586.5252 d: 504.556.5505 f: 504.586.5250

fishmanhaygood.com

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Exhibit D

Patrick James Loney

License Number: 44134

License Type: Lawyer

Eligible To Practice: Yes

License Status: Active

WSBA Admit Date: 11/15/2011

Contact Information

Public/Mailing Address: 14115 132nd St NW
Gig Harbor, WA 98329-5698
United States

Email:

Phone: 86(138)11524304

Fax: (206) 370-6102

Website:

TDD:

Practice Information Identified by Legal Professional

Firm or Employer:

Office Type and Size: Solo practice

Practice Areas: None Specified

Languages Other Than English: Mandarin

Professional Liability Insurance

Private Practice: No

Has Insurance? - [Click for more info](#)

Last Updated: 1/6/2023 8:00:00 AM

Judicial Service

Has Ever Served as Judge: Unknown

Committees

Member of these committees/boards/panels:

None

Disciplinary History

In some cases, discipline search results will not reveal all disciplinary action relating to a Washington licensed legal professional, and may not display links to the official decision documents.

Exhibit E

Itak Moradi

From: Jennifer Hickey <jennifer@westernattorneyservices.com>
Sent: Tuesday, October 17, 2023 8:48 AM
To: Ruby Ponce
Cc: Christopher Young; Louis Kessler; Itak Moradi; Aaron Cera; Paschal, Hogan; Johnson, Ashley
Subject: RE: FTX Complaint Service

External (jennifer@westernattorneyservices.com)

[Report This Email](#) [FAQ](#) [Skout Email Protection](#)

Good Morning –

Here is the latest update re: Patrick Loney. Didn't go as smooth as we had hoped:

Date & Time: Oct 16, 2023, 5:38 pm PDT

Service Type: Unsuccessful Attempt

Description of Service:

I went to the house and a elderly Caucasian man who would not give me his name or relationship to Patrick or his relationship to Mary, quickly got aggressive and kept telling me to “get the f**k outta here”. I asked him when Mary will be coming back, and he told me that she was visiting , which I do not believe to be true. He threatened to call the police and I told him “no problem” he told me to get off his property and I went to my car & I ended up calling Patrick and he told me that he was going to avoid service at all cost and that he wasn't going to tell me his address. He informed me that this is his parents house, and he tried to tell me that I could not serve them, he said that he was in law school for a long time, and he knew about the process. His father ended up coming out and taking a picture of me in my car. I photographed his truck. After I spoke to Patrick and I told him I was from Ohio, he continued texting me about football...unique individual for sure

Service Address

14115 132ND ST NW, GIG HARBOR, WA 98329

Attempt Uploads

- [IMG_8697.png \(2.82 MB\)](#)
- [IMG_8696.png \(1.54 MB\)](#)
- [IMG_8693.jpeg \(6.63 MB\)](#)

I think we may need to track down Patrick Loney at a different address. Holding for now.

Thank you,
Jennifer

Jennifer Hickey
Western Attorney Services
75 Columbia Sq.
San Francisco, CA 94103
415-487-4140 (Main)
415-487-4208 (Direct)
info@westernattorneyservices.com

From: Ruby Ponce [mailto:rponce@saverilawfirm.com]
Sent: Friday, October 13, 2023 2:19 PM
To: Jennifer Hickey
Cc: Christopher Young; Louis Kessler; Itak Moradi; Aaron Cera; Paschal, Hogan; Johnson, Ashley
Subject: RE: FTX Complaint Service

Hi Jennifer,

Please move forward with the sub-service.

Thank you,

Ruby
T 415.655.5989

JOSEPH SAVERI
LAW FIRM

From: Jennifer Hickey <jennifer@westernattorneyservices.com>
Sent: Friday, October 13, 2023 9:20 AM
To: Ruby Ponce <rponce@saverilawfirm.com>
Cc: Christopher Young <cyoung@saverilawfirm.com>; Louis Kessler <lkessler@saverilawfirm.com>; Itak Moradi <imoradi@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Paschal, Hogan <hpaschal@fishmanhaygood.com>; Johnson, Ashley <ajohnson@fishmanhaygood.com>
Subject: RE: FTX Complaint Service

Ruby – please see the process server’s notes from Gig Harbor, WA:

Description of Service:

I knocked on the door and was answered by a woman named Mary Loney. I asked for Patrick and she said he wasn't there as he recently moved to New York and was vacationing in New England. Her home was simply Patrick's "Legal Address". She asked if she could sign for the papers for him, I told her I had to give them to Patrick personally. She then attempted to call him to get his physical address but her call went to voicemail. She gave me his phone number, 206-972-6047 and asked me who he could contact to get the papers as this was something he wanted to take care of. I gave her the phone number to my office. She then typed up a text message to Patrick with that information.

Service Address

14115 132ND ST NW, GIG HARBOR, WA 98329

Let us know if you want us to return and sub-serve Mary Loney? Or should we give it until Monday and see if Patrick calls the process server?

Thank you,
Jennifer

Jennifer Hickey
Western Attorney Services
75 Columbia Sq.
San Francisco, CA 94103
415-487-4140 (Main)
415-487-4208 (Direct)
info@westernattorneyservices.com

From: Ruby Ponce [mailto:rponce@saverilawfirm.com]
Sent: Wednesday, October 11, 2023 6:55 PM
To: info@westernattorneyservices.com; James Santillana; Jennifer Hickey
Cc: Christopher Young; Louis Kessler; Itak Moradi; Aaron Cera; Paschal, Hogan; Johnson, Ashley
Subject: RE: FTX Complaint Service

Hello James and Jennifer,

Can you please attempt service on the following? Please follow the instructions provided on August 15 (email below)

A. Sino Global Capital Limited

C/O Patrick James Loney
14115 132nd St NW
Gig Harbor, WA 98329-5698

B. Sino Global Capital Holdings, LLC.

C/O Patrick James Loney
14115 132nd St NW
Gig Harbor, WA 98329-5698

Thank you,